

September 4, 2018  
5:30 Public Hearing  
Ripley City Courtroom

- Proposed ordinance of the City of Ripley, Tennessee amending Title 17 Refuse and Trash Disposal, to amend said provision, to address bulk garbage with specificity and to amend said provision, to address the city's lack of physical and financial resources available for increasing amounts of bulk garbage and to address the maintenance and location of garbage and refuse, generally, to avoid its entry into storm drains

Mayor Pavletic presiding

Aldermen present: Alston, Beard, Chipman, Davis, Hankins and Treadway

Aldermen absent: none

Also present: Donna Buckner, Attorney Rachel Jackson, Superintendent Scott Nelson, Superintendent Johnnie Ford, Chief Tracey Worlds and Director Randy Danley

Mayor Pavletic polled the board for input they've received from citizens.

Alderman Davis stated that most of the citizens he's talk to admits something needs to be done to clean up our town and to stop our streets from being used as a dumping ground. It would help make our streets and town more presentable for recruiting people and industry.

Alderman Beard asked about excess building material and un-bagged leaves. Can their leaves still be raked up in large amounts and call to have them picked up?

Superintendent Ford stated route will still be run for leaves November through March. Excess building material will no longer be picked up because the landfill wants it sorted.

Attorney Jackson stated the present draft allows for no pickups, building material or otherwise.

Alderman Alston stated she has a neighbor that leaves her can out. They never move it. It looks nasty.

Attorney Jackson stated that's the point of the 24 hour window. You can't put it out more than 24 hours of your pickup and you have to have it removed within a certain amount of time.

Ms. Mary Ella Barnes stated she suggests that if her pickup is Tuesday morning and she has until Wednesday morning to pull her can back from the street and if she doesn't our ordinance man should give her a citation. We need to crack down.

Ms. Jenny Nunn stated her driveway is nearly a quarter of a mile long and is gravel. Her can stays at the street for her convenience and well as the city's convenience. Is she going to have a problem?

Ms. Linda Love stated that cans that are left out sometimes cause difficulty in seeing coming out of her driveway.

Attorney Jackson stated this ordinance authorizes either officers or code enforcement to write citations.

Alderman Treadway stated she's hearing citizens state they pay city and county taxes and want to know where this money and savings is going to go.

Alderman Davis stated it will help prevent tax increase.

Alderman Hankins stated the majority of people realize the need for something to be done. Noticed stuff piled up in places on the parade route. It's embarrassing. It's got to stop. Had more complaints about new truck damaging cans and dropping garbage when can is being dumped. Mr. Ford explained to him that the new cans should correct that issue.

Alderman Chipman stated the main concern he's heard is regarding leaf pickup. Assured them bulk leaf pickup would be November through March and after that they would have to be bagged. Four and half months to get their leaves picked up. He stated all contractors should be required to clean up their own building materials which is in the new ordinance.

Ms. Nunn asked about leasing dumpsters.

Mr. Ford stated he has a number for a company that leases those.

Ms. Evonne Maness stated she feels we are going to have more illegal dumping and burning in the city. We need some kind of pickup.

Attorney Jackson stated this doesn't stop pickups. It just stops pickups of things that are not normal trash.

Ms. Maness stated a lot of people do not have the means to take large items to the landfill.

Alderman Davis stated the major problem isn't construction debris but more furniture. If you're buying new furniture and throwing the old out make a deal with whomever is delivering the new furniture to haul the old furniture away.

Ms. Nunn asked if there couldn't be a reasonable priced permit for furniture pickups.

Attorney Jackson stated the existing ordinance does not provide for a permit structure for the city to pick up anything at all that is labeled as bulk garbage.

Ms. Love stated on her street there is a landlord that cleans up after a tenant moves and dumps it all in the front yard. Folks come by and go through it and it ends up in the street. What is going to be done about that?

Attorney Jackson stated the ordinance covers them too. This covers the tenant, the landlord and the property owner. It states that unless one of those accepts responsibility and pays the fine immediately they all three get fined.

Mayor Pavletic asked Chief Worlds about burn permits.

Chief Worlds stated it's only for burning leaves and tree debris. It's not for burning household items.

Ms. Barnes asked if we were doing this because other towns are doing it. We don't have to do everything other towns do.

Attorney Jackson stated that Mr. Ford looked at several towns and every town does something a little different. We looked to see if there was anything consistent and there was not. So this was drafted purely to meet this city's needs.

Ms. Barnes stated the city is looking up and some things are going to carry it back down. She likes things nice and clean. That's why she's here tonight because she is concerned. Some people don't have to buy more furniture but there are others that have children and eventually the furniture needs replacing.

Mr. Ford asked Ms. Barnes how she felt after seeing a piece of a chair that was embarrassing during the parade.

Ms. Barnes stated if she was able she would have gotten it up.

Mr. Ford stated you can't do that for everybody. This is a city-wide issue. He doesn't have a whole solution but trying to figure out how to clean our city up.

Mr. Tommy Sanders stated we know when the parade is. We should clean the parade up before the parade.

Mr. Ford stated the people that come for the parade go to other parts of the city and see this stuff piled up.

Mr. Sanders stated he didn't care about anything else right now.

Mr. Ford stated he cares about the whole city.

Mr. Sanders stated we should do something about the parade route and do something about the city later.

Mr. Ford stated he doesn't want to hear the parade route looked good. He wants to hear the whole city looked good.

Mr. Sanders stated the parade route is where we make our money in our hotels on Labor Day. From people coming to town for the parade. The parade route needs to be cleaned up.

Donna Buckner stated many times the garbage may pick up on Friday and by Friday afternoon someone on that parade route may put garbage out to next week's pickup. So it's there during the parade. It's not timely.

Mr. Sanders stated we can make it happen if we want to. He's only talking about Labor Day.

Mr. Ford stated he's talking about every day.

Mr. Sanders stated all he's talking about is Labor Day. If we can keep our city cleaned up Labor Day before the parade he's through with it. It's a must. Too many people come to our city that only see the parade route.

Ms. Susan Worlds stated she cares about her street. She lives on Church Street and today there are mattresses, box springs and furniture out on the street. When you're walking your children down the sidewalk or when Mr. Champagne is in his wheelchair you have to get out in the street to get by. Cars fly down the street. Someone is going to get killed. If we can take the responsibility of being homeowners and keep our area clean, everybody else needs to do the same. We work hard to keep our yards clean and they junk it up and it makes everybody on the whole street look bad. It just takes a little pride.

Mayor Pavletic stated looking around courtroom we have young people that leave and come back to Ripley, Tennessee hopefully because it's a good place to live. We're going to make it a good place to live.

Meeting adjourned at 6:00 p.m.

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Donna Buckner, Recorder

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Jon Pavletic, Mayor

September 4, 2018  
6:00 p.m.  
Regular Monthly Meeting  
Ripley City Courtroom

Mayor Pavletic presiding

Aldermen present: Alston, Beard, Chipman, Davis, Hankins and Treadway

Aldermen absent: none

Also present: Donna Buckner, Attorney Rachel Jackson, Superintendent Scott Nelson, Chief Tracey Worlds, Superintendent Johnie Ford, and Director Randy Danley

Visitors: Jenny Nunn, Evonne Maness, Mary Ella Barnes, Richard Bonds, Linda E. Love, Tommy R. Sanders, Ruby Taylor, Charles Joplin, Ron Goforth, Amanda Adkerson, Susan Worlds, Chaplain Franz Nolen, Seth Bryd, Nyiesha Gingery, David Campbell, Dawn Campbell, Tom Sanders III, Louie Ruff, Joe Bennett, Jeremy Hardee, Greg Medford, Robert Garrison, Henry Garrison, Paula Boger, Mr. Samuel Lee, Jay Heath, Tom Sanders, Gwen Blackman, Sandy Coss and Mark Crook

Tom Sanders, III opened meeting with prayer.

Mayor Pavletic led in the Pledge of Allegiance.

Mayor Pavletic introduced new student representatives Seth Byrd and Nyiesha Gingery.

1. Motion by Alderman Hankins and second by Alderman Chipman to approve August 6, 2018 minutes as printed and delivered in agenda package. All aye
2. Motion by Alderman Alston and second by Alderman Treadway to approve August 2018 financial statement as printed and delivered in agenda package. All aye

Correspondence: none

3. Motion by Alderman Chipman and second by Alderman Davis to approve re-appointment of Floyd Crain to Industrial Development Board 6-year term August 2018 – August 2024. All aye
4. Motion by Alderman Hankins and second by Alderman Alston to approve appointment of Samuel Lee to Industrial Development Board 6-year term August 2018 – August 2024. All aye
5. Motion by Alderman Davis and second by Alderman Beard to approve re-appointment of Burnie Norman to Ripley Gas, Water and Wastewater Board as recommended by Ripley Gas, Water and Wastewater Board 5-year term July 2018 – June 2023. All aye

Richard Bonds request to address the board regarding drainage at 132 Watkins Street. Mr. Bonds stated approximately February 20, 2016 Bobby Powell's home on Spiller Hill was demolished. It was torn down and buried in a hole. Since then his home floods with water with heavy rains. He's heard the City of Ripley done the work. He's a former citizen of Ripley but his mother lives in the home alone. Provided the board with pictures showing how the water and dirt comes down the hill onto his property. He has spoken with Mr. Ford many times. He shovels out the dirt and has dug a trench. The crawl space is still wet from the heavy rain three weeks ago. This water is going to rot the crawl space. Asking the city what can be done to rectify the problem.

Mr. Ford stated this is two houses down from where he, Mr. Nelson and Mr. Chipman went and looked at Ms. Hattie Barnes. There is not an intersecting ditch between the top and lower part. We had the drawing reflecting the gravity and the water flow at Ms. Barnes. Some of the dirt is

going to go down the hill but most should come back toward the road that's curb and gutter. Ms. Rachel can determine whose responsibility it is to pursue with the property owner's above them.

Mr. Bonds state his issue is a little different than Ms. Barnes because the water is coming directly from Mr. Bobby Powell's property. Other areas of Watkins Street flood. Timber was removed 10-12 years ago and Watkins Street still floods because the timber is gone. There was a wreck on Campbell Lane because of the flooding three weeks ago.

Attorney Jackson stated she will research.

6. Motion by Alderman Chipman and second by Alderman Beard to approve advertisement of off-premises beer permit application for Ripley Twin Market, d.b.a. L & M Twin Market, 310 Eastland Avenue, Ripley, Tennessee 38063. All aye
7. Motion by Alderman Davis and second by Alderman Beard to approve 2<sup>nd</sup> reading proposed ordinance amending Title 17 Refuse and Trash Disposal. All aye
8. Motion by Alderman Hankins and second by Alderman Chipman to accept surplus property sealed bids received and opened August 28, 2018. All aye
9. Motion by Alderman Hankins and second by Alderman Alston to advertise unsold property at 35% less than minimum stated bid. All aye
10. Motion by Alderman Hankins and second by Alderman Chipman to approve accident insurance proposal submitted by Berkley Accident and Health for Ripley Parks and Recreation supervised and sponsored sports. All aye
11. Motion by Alderman Hankins and second by Alderman Alston to approve public auction for sale of surplus equipment. All aye
12. Motion by Alderman Chipman and second by Alderman Davis to approve Public Works proposed resurface of city streets not to exceed \$700,000 and consider amending the budget for same. All aye
13. Motion by Alderman Treadway and second by Alderman Beard to approve purchase of 2019 International MV607/Pac-Mac Knuckleboom Loader at government contract price of \$143,474.86 budget item. All aye
14. Motion by Alderman Treadway and second by Alderman Alston to approve purchase of used 2014 Caterpillar 420F ST sale price of \$74,000 less \$10,000 trade-in purchase price \$64,000 budgeted item. All aye

Attorney Jackson addressed the board in regards to appointing someone to serve in the position of interim chief of police while the board organizes search committee for a new chief. This person will maintain the status quo and operations of the department. This is not appointing the successor or giving anyone an advantage to become chief.

Mayor Pavletic ask if the department could not use shift supervisors.

Attorney Jackson stated there are certain administration issues where you are going to have a final say. The way discipline and other issues are organized is that they have to be approved by the department head. So you need someone in that position as an interim while you seek a successor. She stated it is not advisable to divide the role.

Alderman Hankins stated simply by going by who's been here the longest, who's traveled the ranks is not the way to do this. We have certain officers who are inclined to be really good at certain things. Lt. Lynn Gould, for example, has been here a really long time who is good with administrative type stuff. We have other officers who have been here a really long time who have reached the rank of lieutenant in investigation and in patrol. Some officers have administrative abilities and duties and some do not. Some are strictly patrol. He stated his thought and opinion is a combination of somebody to take care of administration and shift

leaders as they are to take care of the shifts themselves during a short period while we put together a committee to hire a new chief is the best way to go.

Alderman Hankins stated basically like the mayor says. Somebody to take care administrative and everybody do their job. We haven't had a chief in a long time according to how some people are putting it. He doesn't like nor does he agree with that in the least bit. If that's the case what's the big problem with people just doing what they do. Some can take on additional duties like Lynn Gould and some others who know the police department from one end or the other. Seems those are the people you would want to turn to and let shift commander's command their shift. We have a shift that doesn't have a lieutenant on it. Maybe find a lieutenant for that shift. Then you have a lieutenant on all three shifts. He thinks that's the fairest and most complete way. We are extremely short on officers and have an extremely difficult time in getting any hired for whatever reason. All those reasons don't make any difference whatsoever. What matters is where we are right here right now. If you name one certain person interim chief you may have some flight. If you name another person you could have some flight. We can't afford to have flight at this particular moment. He will not be held hostage by this situation. He will ride around in his own car and call if he sees stuff if necessary. He has looked and researched on his own and can't find any legal reason why we have to name an interim to serve until we find an interim. He thinks each shift leader can contribute according to what they can do. There are reasons they are shift leaders. The end-all be-all is us. It's been made painfully clear that it is us. That being the case, in his opinion and all things considered, unless someone changes his mind, is to do it by shift and one person handle the administrative. We have Donna who is heavily involved with HR. We have the counselor who is more than willing to help in the police department and has been heavily involved. He thinks between a combination of all those people that's what we can do for the time being until we can find not just our interim but even until we can find our successor.

Ms. Buckner asked if it would be problem that each shift supervisor may have a different means of doing things.

Alderman Hankins stated that our brand new shiny policy that has been gone through up and down, left and right, by most of the people in this room would not allow for those things to differ much.

Attorney Jackson stated the policy provides for a chief. You need someone in that role as an interim.

Alderman Hankins stated he doesn't agree. The mayor asked for his opinion and this is it.

Alderman Chipman ask attorney for some characteristics we should be looking for.

Alderman Hankins stated he didn't think the counselor should have an opinion when it comes to choosing personnel.

A citizen attendee asked what happened to our chief.

Attorney Jackson stated the chief did not complete the obligations that the board set forth for him on May 25<sup>th</sup> and as a result of that he was offered options and he has elected to pursue retirement.

Attorney Jackson stated to answer Alderman Chipman's question she does not have an opinion as to who should hold the position but from the policy perspective it has to be someone who understands the administrative needs of the department, the patrol and law enforcement needs of the department including investigation. It has to be someone who is knowledgeable of state and local laws. Someone who is familiar with training issues and someone who is prepared.

Alderman Treadway stated she thinks it's going to be conflict within the department if we have an interim here. It's already conflict now. If one gets it this one is going to be mad. She doesn't think it should be anyone here. You see everyone here. Everyone here wants that position even if it is interim.

Alderman Alston stated she feels the same way Alderman Treadway is saying. She doesn't think the interim should come from within the police department. We don't want any war. We want this police department to work and we're ready for it to get better. We just don't know how people are going to treat the person who gets. We just don't want that.

Attorney Jackson stated so that everyone understands there are certain things that only a department head can do. There could be no discipline imposed because there will be no department head to approve it. There could be no annual leave taken because there would be no department head to approve it.

Alderman Treadway stated she was saying she doesn't think it should be anyone within the department.

Attorney Jackson stated that if there is someone from the outside to serve as the interim while you look for a successor that discussion should be had tonight.

Alderman Treadway stated that someone within the department is not going to be fair with each other because there will be bickering and backbiting just like we have right now. It should not be anybody that is in the department right now.

Alderman Hankins stated that is why he thinks we should try running by committee for a time until we can find that outside person.

Alderman Alston stated she just doesn't want any conflict.

Attorney Jackson stated she understands the concerns. She just wants the board going into it fully informed.

Alderman Hankins stated if we have someone assigned to the administrative part of it.

Attorney Jackson stated if they are not the department head they cannot.

Alderman Chipman stated he doesn't know what we are going to do but the department is eight officers down. A third of our force. Whatever we do, we need to do whatever it takes to get these officers hired and out on the streets.

Alderman Beard asked how long we would have this interim chief. How long before we can hire the new chief.

Alderman Hankins stated we had a hard time running an ad in the paper to hire regular officers. How long is it going to take to run an ad that fits everything everybody wants? Doesn't have an answer to Mr. Beard's questions.

Alderman Beard stated there's no need in thinking we're not going to have an interim chief. We don't want this town to be without one. That would be irresponsible on our part. He doesn't have a problem hiring a man that has dedicated himself to this department. Somebody here can run until we can get the new chief. As police commission, Mr. Hankins, he (Beard) would think he (Hankins) would know more about them than anyone else.

Alderman Hankins stated with those things considered he has given his opinion. He hesitates to mention names especially this early.

Alderman Beard stated he doesn't have to worry about giving a name. We don't have to worry about conflict. We're a board. We have conflict all of the time. We have to move on beyond conflict and be responsible people.

Alderman Hankins stated you're going to play hell trying to cover the streets with four officers.

Alderman Beard stated he understands that but we're not going to move quickly if we don't put someone in charge as chief. Then we need to move with the election of a chief. He stated he knows a little of the officers but as commissioner he (Beard) thinks you (Hankins) would know more about who to select. Looking to you (Hankins) for that. You're dealing with them. They

are your people. Think you (Hankins) could make a selection and doesn't know why we (board) would reject it because we want your (Hankins) leadership. Doesn't see how we can operate without a chief.

Alderman Hankins stated if we can't then the logical step would be to take someone that is one of the shift supervisors who also has some administrative skills. If you (board) is looking to him for a name to be the interim chief, even though there are some physical inabilities, he would name Lynn Gould as interim chief to have those administrative issues possible and have the lieutenants take care of their shifts. That's his recommendation and thinks we need to find a replacement as quickly as possible.

Alderman Davis stated his main concern is to protect our city. Wants someone who can complete the task so we can start interviewing for new officers. Wants to interview quickly for a new chief.

15. Motion by Alderman Hankins and second by Alderman Treadway to appoint Lt. Lynn Gould as interim chief. All aye

Mayor Pavletic stated he would name the committee.

Attorney Jackson stated that when MTAS came and performed their assessment, their police and fire consultant Rex Barton offered to come and give some technical assistance with the makeup of the committee.

Mayor Pavletic stated the makeup of the committee needs to be made up of the people who know the pulse of this community and this board knows the pulse and knows what we need to do. The same questions will be asked of each person that applies and have a scoring sheet for each person.

Attorney Jackson stated MTAS suggested remaining inside the community but looking outside the department for participants. For instance, include the sheriff on the committee or former law enforcement or former chiefs on the committee.

Alderman Hankins if there was a recommended number for the committee.

Attorney Jackson stated she doesn't remember but would email Mr. Barton and ask what the committee might look like.

Alderman Hankins stated his first thought is to make the entire board part of the committee and then add outside people.

Attorney Jackson stated if you do that every interview and/or meeting will be open meeting.

Alderman Hankins stated he wouldn't mind that. Thinks everyone should know what's going on. The more open it is the better it is. There's been too much of this behind the scenes crap going on and he's tired of that. Would rather be as transparent as we can possibly be in making this decision so we don't have any other kind of issues when someone takes over to do the job.

Attorney Jackson stated you have to consider not everyone being available for every meeting, the length of the meeting, the cost associated with advertising each meeting and a certain amount of advanced notice. All of that is relevant depending on the number of board members you have on the committee. The board will form the committee, not just one person, unless you authorize the mayor to do it.

Mayor Pavletic polled the board to see who would be interested in serving on the committee.

Mayor Pavletic asked Mr. Tom Sanders, from the audience, if he would serve.

Mr. Sanders stated he's retired with 35 years of service and would be glad to serve on the committee.

Alderman Chipman stated he would like for Ms. Buckner to serve.



16. Motion by Alderman Hankins and second by Alderman Chipman to give the mayor authority to add names consistent with MTAS recommendation if he so chooses. All aye
17. Motion by Alderman Hankins and second by Alderman Treadway to direct Interim Chief Gould to get job description and post-offer testing criteria consistent and advertise for uniform patrol officers. All aye

Department Reports:

*Ripley Parks & Recreation:* Director Randy Danley gave monthly report.

*Ripley Public Works & Codes Departments:* Superintendent Johnie Ford gave monthly report.

*Ripley Police Department:* Alderman Hankins gave monthly report.

*Ripley Fire Department:* Chief Tracey Worlds gave monthly report.

*Ripley Gas, Water & Wastewater Department:* Superintendent Scott Nelson gave monthly report.

*Ripley Power & Light Department:* Alderman Beard gave monthly report.

*Ripley Housing Authority:* Alderman Alston gave monthly report.

Meeting adjourned at 7:55 p.m.

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Donna Buckner, Recorder

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Jon Pavletic, Mayor